

Message Text

LIMITED OFFICIAL USE

PAGE 01 USUN N 02353 01 OF 02 230143Z

ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-10 EA-07 EUR-12 NEA-10

CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-02

EB-07 COME-00 TRSE-00 /119 W

-----045743 230322Z /20

R 230032Z JUL 77

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 4603

INFO USMISSION GENEVA

LIMITED OFFICIAL USE SECTION 1 OF 2 USUN 2353

E.O. 11652: N/A

TAGS: SHUM, SOCI

SUBJECT: HUMAN RIGHTS--GA INITIATIVES ON HIGH COMMISSIONER
FOR HUMAN RIGHTS AND TORTURE

1. ON JULY 21 THE AUSTRALIAN MISSION HOSTED A MEETING OF INTERESTED DELEGATIONS TO DISCUSS THE COSTA RICAN INITIATIVE ON THE HIGH COMMISSIONER FOR HUMAN RIGHTS (HCHR). THIS MEETING WAS ORIGINALLY SCHEDULED TO BE HELD AT THE COSTA RICAN MISSION LAST WEEK BUT WAS CANCELLED DUE TO THE BLACKOUT. IN THE MEANTIME THE COSTA RICAN DELEGATE WHO IS COORDINATING EFFORTS ON THE PROPOSAL, MADAME DE BARISH, HAS RETURNED TO COSTA RICA FOR CONSULTATIONS. THE MEETING WAS ATTENDED BY REPRESENTATIVES OF THE FOLLOWING MISSIONS: ITALY, NETHERLANDS, DENMARK, FRG, JAPAN, SPAIN, VENEZUELA, SWEDEN, NORWAY, COSTA RICA, FRANCE, COLOMBIA, AND THE US.

2. THE AUSTRALIAN DELEGATE STATED THAT HE HAD BEEN REQUESTED BY MADAME DE BARISH TO MAKE THE FOLLOWING GENERAL POINTS WITH RESPECT TO THE PROPOSAL:

LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 USUN N 02353 01 OF 02 230143Z

A. THE TEXT WHICH THE COSTA RICAN WISH TO USE AS A BASIS FOR DISCUSSIONS IS NOT THE ORIGINAL ECOSOC RESOLUTION 1237 (XLII) BUT THE REVISED RESOLUTION CONTAINED IN DOCUMENT A/9393 OF 11 DECEMBER 1973. IT IS FURTHER IDENTIFIED AS DRAFT RESOLUTION A/C.3/L.2075. THE COSTA RICANS HAVE CONSULTED WITH THE UN LEGAL OFFICER AND HAVE BEEN INFORMED THAT TECHNICALLY THERE

ARE NO DRAFT RESOLUTIONS ON THE HCHR STILL ON THE TABLE AS THE AGENDA ITEM ON ALTERNATE WAYS AND MEANS IS SEPARATE FROM THE AGENDA ITEM UNDER WHICH THE PREVIOUS DRAFT RESOLUTIONS ON THE HCHR WERE TABLED.

B. WITH RESPECT TO STRATEGY THE COSTA RICANS WISH TO EMPHASIZE FLEXIBILITY. THEY HOPE TO GET THE BEST POSSIBLE RESULT THIS YEAR BUT PREFER TO KEEP THE ITEM ALIVE RATHER THAN TO SEE IT PERMANENTLY DEFEATED.

3. MISSION DELEGATES PRESENT INDICATED A COMMITMENT TO THE IDEA OF A HCHR BUT A GREAT DEAL OF SKEPTICISM ON THE LIKELIHOOD THAT THE RESOLUTION COULD BE SUCCESSFUL IN ITS PRESENT FORM. IT WAS THE CONSENSUS THAT THE GROUP SHOULD MEET NEXT WEEK TO PRODUCE A NEW TEXT. THE NETHERLANDS, SUPPORTED BY DENMARK AND JAPAN, SUGGESTED THAT THE NEW TEXT SHOULD PROVIDE A ROLE FOR THE COMMISSIONER ON THE IMPLEMENTATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS AND THAT ATTENTION TO THIS AREA WILL BE ESSENTIAL IN OBTAINING DEVELOPING COUNTRY SUPPORT. THE SWEDES SUGGESTED THAT THE ROLE OF THE COMMISSIONER WITH RESPECT TO COMMUNICATIONS MUST BE REVISED IN VIEW OF THE FACT THAT THE 1503 PROCEDURES HAVE BEEN ESTABLISHED AS THE PRINCIPAL CHANNEL FOR COMMUNICATIONS.

4. WITH RESPECT TO ATTENDANCE AT FUTURE MEETINGS THE LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 USUN N 02353 01 OF 02 230143Z

GROUP DECIDED TO EXPAND MEMBERSHIP AT THE NEXT MEETING TO INCLUDE MEXICO. AT MEETINGS FOLLOWING PREPARATION OF THE NEW TEXT, MEMBERSHIP WILL BE EXPANDED TO INCLUDE KEY DELEGATIONS FROM OTHER REGIONS, SUCH AS INDIA AND TANZANIA. IT WAS AGREED THAT IT WOULD BE MOST DESIRABLE TO GET PROMINENT THIRD WORLD DELEGATES ON BOARD EARLY AND TO GET THEM TO SUPPORT THE HCHR PROPOSAL IN THEIR GENERAL DEBATE STATEMENTS.

5. COSTA RICAN APPROACHES ON THE PROPOSAL HAVE BEEN LIMITED TO APPROACHES MADE AT THE RECENT OAS MEETING IN GRENADA. THEY HAVE NOT MADE ANY APPROACHES OUTSIDE THE LATIN GROUP.

6. THE NEXT MEETING WILL BE HELD THURSDAY, JULY 28. WE WOULD APPRECIATE DEPT COMMENTS ON PROPOSALS FOR THE NEW TEXT FOR USE AT THIS MEETING. THE MISSION AGREES WITH THE COMMENTS MADE BY OTHER DELEGATIONS WITH RESPECT TO COMMUNICATIONS AND THE NEED TO EXPAND THE MANDATE OF THE HCHR BEYOND CIVIL AND POLITICAL RIGHTS. WE COULD ALSO FORESEE THE POSSIBILITY THAT THE COMMISSIONER COULD BE TASKED WITH MAKING A STUDY OF ALL HUMAN RIGHTS

ACTIVITIES IN THE UN SYSTEM WITH A VIEW TO MAKING
SUGGESTIONS TOWARDS RATIONALIZING ACTIVITIES AND AVOID-
ING DUPLICATION. THE UN HAS A PROLIFERATION OF BODIES
AND SPECIAL COMMITTEES, SUCH AS THE COMMITTEE ON THE
ELIMINATION OF RACIAL DISCRIMINATION, A NEW COMMITTEE
BEING SET UP UNDER INTERNATIONAL CONVENTION ON THE
SUPPRESSION OF APARTHEID, THE HUMAN RIGHTS COMMITTEE
ESTABLISHED UNDER THE COVENANT ON CIVIL AND POLITICAL
RIGHTS, AN, AS YET UNDETERMINED, SUB-BODY OF ECOSOC
WHICH WOULD REVIEW THE REPORTS SUBMITTED UNDER THE
INTERNATIONAL CONVENANT ON ECONOMIC, SOCIAL AND CULTURAL
RIGHTS, THE COMMISSION ON THE STATUS OF WOMEN, THE
SPECIAL COMMITTEE ON APARTHEID, THE COMMITTEE OF 24
DEALING WITH COLONIAL TERRITORIES, ETC. THESE ARE,
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 04 USUN N 02353 01 OF 02 230143Z

OF COURSE, ALL IN ADDITION TO THE PRINCIPAL HUMAN
RIGHTS BODY, THE SUB-COMMISSION ON THE PREVENTION OF DIS-
CRIMINATION AND PROTECTION OF MINORITIES AND THE AD HOC
WORKING GROUPS, SUCH AS THOSE ON CHILE AND SOUTH AFRICA
WHICH REPORT TO THEM. WE SHOULD BE ABLE TO GET SOME
SUGGESTIONS FOR RATIONALIZATION OF THESE ACTIVITIES
WITHOUT, AT THE SAME TIME, SUBSCRIBING TO THE SOVIET
POSITION THAT ESTABLISHMENT OF THE HUMAN RIGHTS COM-
MITTEE UNDER THE CIVIL AND POLITICAL CONVENANT CON-
STITUTES JUSTIFICATION FOR ELIMINATION OF THE HUMAN RIGHTS
COMMISSION AND THE SUB-COMMISSION.

LIMITED OFFICIAL USE

NNN

LIMITED OFFICIAL USE

PAGE 01 USUN N 02353 02 OF 02 230144Z
ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-10 EA-07 EUR-12 NEA-10
CIAE-00 DODE-00 PM-05 H-01 INR-07 L-03 NSAE-00
NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 DHA-02
EB-07 COME-00 TRSE-00 /119 W
-----045792 230322Z /20

R 230032Z JUL 77

FM USMISSION USUN NEW YORK
TO SECSTATE WASHDC 4604
INFO USMISSION GENEVA

LIMITED OFFICIAL USE SECTION 2 OF 2 USUN 2353

7. WE ALSO TOOK ADVANTAGE OF THIS MEETING FOR FURTHER DISCUSSION ON THE US TORTURE PROPOSAL. AT THIS POINT WE WOULD GUESS THAT ONLY AUSTRALIA AND THE NETHERLANDS ARE STRONGLY IN FAVOR OF OUR PROPOSAL. THE OTHERS ARE HOPING THAT IT WILL BE ABANDONED AS IT WAS TWO YEARS AGO. WE HAVE MADE CLEAR OUR DETERMINATION TO GO AHEAD WITH A PROPOSAL AND HAVE INDICATED THAT WE ARE OPEN TO SUGGESTIONS ON A REVISED TEXT. IT IS OUR GUESS THAT THE CURRENT TEXT HAS NO CHANCE OF SUCCESS AND OPPOSITION WOULD FIND A WAY TO PREVENT ANY VOTE AT ALL ON THE RESOLUTION. WE SUGGEST THAT THE DEPT CONSIDER REVISING THE RESOLUTION TO CHANGE THE FOCUS FROM CASES OF TORTURE IN INDIVIDUAL COUNTRIES TO A GENERAL STUDY OF CIRCUMSTANCES, CONDITIONS AND REASONS WHY TORTURE IS EMPLOYED. THE STUDY SHOULD ALSO SUGGEST STEPS WHICH COULD BE TAKEN BY GOVERNMENTS TO ELIMINATE TORTURE AND PREVENT ITS RECURRENCE. THE STUDY, OF COURSE, WOULD BE BASED ON ACTUAL SITUATIONS BUT COULD BE DONE IN SUCH A WAY THAT COUNTRIES ARE NOT SPECIFICALLY NAMED. A MORE GENERAL APPROACH SUCH AS THIS WOULD HAVE THE ADVANTAGE OF STILL MAINTAINING PRESSURE ON TORTURERS WHILE AT THE SAME TIME ELIMINATING LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 USUN N 02353 02 OF 02 230144Z

THE MOST CONTROVERSIAL ASPECT WHICH IS THAT OF NAMING NAMES.
YOUNG

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: HUMAN RIGHTS, ATROCITIES, MEETINGS
Control Number: n/a
Copy: SINGLE
Sent Date: 23-Jul-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977USUNN02353
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770263-0248
Format: TEL
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770725/aaaaavla.tel
Line Count: 205
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: abc7f264-c288-dd11-92da-001cc4696bcc
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 10-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1765992
Secure: OPEN
Status: NATIVE
Subject: HUMAN RIGHTS--GA INITIATIVES ON HIGH COMMISSIONER FOR HUMAN RIGHTS AND TORTURE
TAGS: SHUM, SOCI
To: STATE
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/abc7f264-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009